



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

WEB COPY

Date : 22/07/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.10275 of 2019

1. Vansangar
2. Kannan
3. Subramanian

... Petitioners/Accused Nos.1 to 3

Vs

State rep. by
The Insepctor of Police,
Thirukkurungudi Police Station,
Thirunelveli District
(Crime No.90 of 2019).

... Respondent/Complainant

For Petitioners: M/s.S.Sathya Chidambaram,
Advocate.

For Respondent : Mrs.Anantha Devi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

for Anticipatory bail in Crime No.90 of 2019 on the file of the
Respondent Police

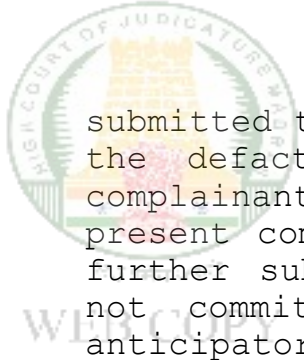
ORDER

The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 294
(b), 323 and 506 (ii) of IPC in Crime No.90 of 2019, seek
anticipatory bail.

2. Heard both sides.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned counsel appearing for the petitioners has



submitted that there was a wordy quarrel between the petitioners and the defacto complainant, the petitioners assaulted the defacto complainant and caused injuries. Based on the said allegation the present complaint has been registered against the petitioners. He further submitted that the petitioners are innocent and they have not committed any offence and hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (criminal side) appearing for the respondent has submitted that the defacto complainant has sustained simple injuries and he was already discharged from the hospital. However, she opposed the anticipatory bail application on the ground that investigation is still pending.

5.Taking into consideration of the fact that the injured person sustained only simple injuries and he was also discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Valliyoor, Tirunelveli District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only)each with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE
VALLIYOOR, TIRUNELVELI DISTRICT
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT
 - 3 THE INSEPCTOR OF POLICE
THIRUKKURUNGUDI POLICE STATION, THIRUNELVELI DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.12115

ORDER
IN
CRL OP(MD) No.10275 of 2019
Date :22/07/2019

LS
JMN/PN/SAR-1/01.08.2019/3P-6C